

Title VI

Non-Discrimination Plan | 2023

Aging Partners Transit

Under the Civil Rights Act of 1964 and related statutes, Aging Partners Transit ensures that no person shall, on the grounds of race, color, or national origin, be excluded from participation in, denied the benefits or services of, or be otherwise subjected to discrimination in all programs, services or activities administered by the agency.



Signed By _____

All entities who receive Federal Transit Administration (FTA) grant dollars either directly from the FTA or through the Nebraska Department of Transportation (NDOT) are subject to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the U.S. Department of Transportation's implementing regulations. This manual provides technical assistance on Title VI compliance requirements.

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Introduction and Overview

Plan Statement

Aging Partners Transit (APT) operates a demand response transit program serving residents in the city of Lincoln, Nebraska situated in Lancaster County. As a condition of receiving Federal financial assistance to operate these services, the agency ensures that its programs, policies, and activities comply with Title VI of the Civil Rights Act. The following program details how APT meets the Title VI requirements set forth in FTA Circular 4702.1B.

APT has been the recipient of Section 5310 transit funds. Federal funding for APT has been received through the Nebraska Department of Transportation Transit Section. NDOT administers APT's FTA transit service funding and provides all Title VI program oversight for APT.

Policy

Section 601 under Title VI of the Civil Rights Act of 1964 states the following:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

APT is committed to ensuring that no person, on the basis of race, color, or national origin, shall be excluded from participation in or subjected to discrimination under its programs or services, or be denied the benefits of the level and quality of transit services provided by the agency's employees, affiliates, and contractors.

Authorizing Legislation

Most Federal transit laws are codified at title 49 U.S.C. Chapter 53. Authorizing legislation is substantive legislation enacted by Congress that establishes or continues the operation of a Federal program or agency. FTA's most recent authorizing legislation is entitled the *Bipartisan Infrastructure Law*, signed into law on November 15, 2021.

How to Contact FTA and APT

FTA's regional and metropolitan offices are responsible for providing financial assistance to FTA grant recipients and for oversight of grant implementation for FTA programs. Certain specific programs are the responsibility of FTA headquarters. Inquiries should be directed to either the regional or metropolitan office responsible for the geographic area in which the recipient is located.

For more information regarding APT's Title VI Program, please contact the agency at:

Aging Partners Transit

Attn: Mitch Sump, Transit Manager
600 South 70th St. Building #2
Lincoln, NE 68510
(402) 441-8815
msump@lincoln.ne.gov

FTA Headquarters can be contacted at:

Federal Transit Administration

Office of Civil Rights
Attn: Title VI Program Coordinator
1200 New Jersey Avenue SE
Washington, D.C. 20590
888-446-451

The Nebraska Department of Transportation can be contacted at:

Nebraska Department of Transportation

Attn: Title VI Transit Manager
1500 Hwy. 2
Lincoln, NE 68502
(402)-479-4694
kari.ruse@nebraska.gov

FTA Circular 4702.1B

APT's Title VI Plan has been developed to address FTA's Title VI requirements and oversight responsibilities. The Plan follows the guidelines set forth in FTA Circular 4702.1B.

General Reporting Requirements

Chapter III of FTA Circular 4702.1B addresses the general reporting requirements for recipients and subrecipients of FTA funding to ensure that their activities comply with US DOT Title VI regulations. These requirements are summarized below, accompanied by details on how APT's Title VI Transit Program fulfills each requirement.

1. Requirement to Provide Title VI Assurances

In accordance with 49 CFR Section 21.7(a), every application for FTA financial assistance must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA.

APT submits its Certifications and Assurances to the Nebraska Department of Transportation (NDOT). NDOT collects APT's Title VI Assurances prior to passing through FTA funds.

2. Requirement for First-Time Applicants

New applicants will submit a Title VI program that is compliant with FTA Circular 4702.1B, as well as an Assurance that the applicant will carry out the program in compliance with DOT Title VI regulations.

APT is not a first-time applicant and, therefore, is exempt from this requirement.

3. Requirement to Prepare and Submit a Title VI Program

FTA requires that all direct and primary recipients document their compliance with DOT's Title VI regulations by submitting a Title VI Program to their FTA Regional Civil Rights Officer once every three years, or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts.

APT's governing body will approve this Title VI Program. The APT governing body consists of three (3) hired city personnel, including the agency director, CAS manager, and transit manager. Documentation of such approval will be submitted with the agency's Title VI Program.

APT will submit its Title VI Program to the Nebraska Department of Transportation for review and approval.

4. Requirement to Notify Beneficiaries of Protection under Title VI

Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient's obligations under DOT's Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles.

A copy of APT's Title VI Notice to the Public is displayed below. This notice is accessible in multiple languages via the agency website at www.lincoln.ne.gov/City/Departments/Aging-Partners/Staying-Involved. The notice is also displayed in English at the agency's main office in Lincoln, Nebraska, and within the agency's service vehicles.

Title VI Notice to the Public

Aging Partners Transit

Aging Partners Transit operates its programs and services without regard to race, color, or national origin in accordance with Title VI of the Civil Rights Act. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI may file a complaint of discrimination by completing and submitting the agency's Title VI Discrimination Complaint Form. This form can be downloaded on the agency website at <https://www.lincoln.ne.gov/City/Departments/Aging-Partners/Staying-Involved> ; additionally, the form can be requested by contacting the agency at the address provided below. A telephone interpreter can be provided to assist persons of limited English proficiency.

To request more information on the agency's Title VI obligations, or to obtain a detailed description of the agency's Title VI discrimination complaint procedures, please visit the agency website or contact the agency using the information provided. Title VI Discrimination Complaint Forms and additional information can also be obtained through the Nebraska Department of Transportation (NDOT) website at www.dot.nebraska.gov, or by contacting NDOT using the information provided below. A telephone interpreter can be provided to assist persons of limited English proficiency.

Aging Partners Transit

Attn: Mitch Sump,
Transit Manager
600 South 70th St., Bldg. #2
Lincoln, NE 68510
(402) 441-8815
msump@lincoln.ne.gov

Nebraska Department of Transportation

Attn: Title VI Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402)-479-4694
kari.ruse@nebraska.gov

Federal Transit Administration Office of Civil Rights

Attn: Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

Aging Partners Transit opera sus programas y servicios sin tomar en cuenta raza, color, u origen nacional de conformidad con el Título VI del Acta de Derechos Civiles. Cualquier persona que cree que ha sido agraviada por cualquier práctica discriminatoria ilegal bajo el Título VI puede presentar una queja de discriminación por completar y enviar el Formulario de Queja de Discriminación de Título VI de la agencia. Este formulario se puede descargar en el sitio de web de la agencia en <https://www.lincoln.ne.gov/City/Departments/Aging-Partners/Staying-Involved>. adicionalmente, se puede solicitar el formulario poniéndose en contacto con la agencia a la dirección proporcionada arriba. Un interprete telefónico está disponible para asistir personas de dominio de Inglés limitado.

Para solicitar mas información sobre las obligaciones de Título VI de la agencia, o para obtener una descripción detallada del procedimiento de Quejas de Discriminación del Título VI, favor de visitar la pagina de la agencia o contactar la agencia a la dirección proporcionada arriba. También se puede obtener los Formularios de Quejas de Discriminación del Título VI y información adicional en el sitio de web del Departamento de Transporte de Nebraska (NDOT) en www.dot.nebraska.gov o poniéndose en contacto con NDOT a la dirección proporcionada arriba. Un interprete telefónico está disponible para asistir personas de dominio de Inglés limitado.



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5. Requirement to Develop Title VI Complaint Procedures and Complaint Form

All recipients shall develop procedures for investigating and tracking Title VI complaints filed against them, and shall make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient's website:

APT has adopted the Nebraska Department of Transportation's procedures and forms for investigating and tracking Title VI complaints of discrimination, and these forms (pictured below) are available in multiple languages via the agency website at www.lincoln.ne.gov/City/Departments/Aging-Partners/Staying-Involved, or upon request. Instructions for obtaining these forms are provided on the agency's Title VI Notice to the Public.

A description of APT's Title VI Complaint Procedures follows the forms presented below.

Title VI Complaint Procedures

Aging Partners Transit

Any person who believes they have been discriminated against on the basis of race, color, or national origin by Aging Partners Transit may file a complaint by completing and submitting the agency's Title VI Complaint Form. Complaints must be submitted within 180 days following the alleged incident. Complaints received after 180 days will not be eligible for investigation.

All Title VI and related statute complaints are considered formal—there is no informal process. Complaints must be made in writing and signed by the complainant on the Complaint Form provided. If complaints are received by telephone, the information will be documented in writing and provided to the complainant for confirmation or revision and signature prior to processing. Complaints must include the complainant's name, address, and telephone number, and should specify all issues and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin. Complaints can be submitted to the agency at the following contact information:

Aging Partners Transit

Attn: Mitch Sump, Transit Manager
600 South 70th St. Building #2
Lincoln, NE 68510

(402) 441-8815
msump@lincoln.ne.gov

Nebraska Department of Transportation

Attn: Transit Manager
1400 Hwy 2
Lincoln, NE 68502

(402) 479-4694
kari.ruse@nebraska.gov

Complaints may also be filed with the Federal Transit Administration by obtaining their form at <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/fta-civil-rights-complaint-form>.

Aging Partners Transit will notify the Nebraska Department of Transportation that a complaint has been received. The complainant will receive an acknowledgment letter informing her/him whether the complaint will be investigated. NDOT has 30 days to investigate the complaint. If more information is needed to resolve the case, the agency may contact the complainant to request additional information. The complainant has 15 days from the date of the letter to supply requested information to the investigator assigned to the case.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation and that the case will be closed. An LOF summarizes the allegations and interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days following the closure letter or LOF to do so.

Este documento describe el Procedimiento de Queja por Discriminación del Título VI de Aging Partners Transit. Para obtener una copia de este documento en español, comuníquese con el Departamento de Transporte de Nebraska al número de teléfono que figura arriba. Un intérprete telefónico está disponible para ayudar a personas con dominio limitado del inglés.



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Title VI Discrimination Complaint Form

Aging Partners Transit

To file a Title VI complaint of discrimination, please complete this Complaint Form in full and submit it within 180 days following the alleged incident using the provided agency contact information. Complaints received after 180 days will not be eligible for investigation. Title VI complaints must involve issues pertaining to race, color, or national origin. Complaint Forms may be submitted by an individual or a representative of that individual.

Complaints must be made in writing and contain as much information as possible about the alleged discrimination. If complaints are received by telephone, the information will be documented in writing and provided to the complainant for confirmation or revision and signature prior to processing. The written complaint should include the complainant's name, address, and telephone number, as well as a detailed description of the issues and the name(s) and job title(s) of individuals perceived as parties in the complaint.

After completing this Complaint Form, please return it to the address below:

Aging Partners Transit

Attn: Mitch Sump, Transit Manager
600 South 70th St. Building #2
Lincoln, NE 68510
(402) 441-8815
msump@lincoln.ne.gov

Complainants may also choose to return this form to the Nebraska Department of Transportation at the following address:

Nebraska Department of Transportation

Attn: Title VI Transit Manager
1400 Hwy 2
Lincoln, NE 68502
(402) 479-4694
kari.ruse@nebraska.gov

Complaints may also be filed with the Federal Transit Administration by obtaining their form at <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/fta-civil-rights-complaint-form>. Complaints using the FTA form may be submitted via email to FTACivilRightsCommunications@dot.gov or mailed to the following address:

Federal Transit Administration

Office of Civil Rights
Attn: Complaint Team
East Building, 5th Floor-TCR
1200 New Jersey Ave., SE
Washington, D.C. 20590

Para obtener una copia de este documento en español, visite el sitio web de la agencia en <https://www.lincoln.ne.gov/City/Departments/Aging-Partners/Staying-Involved>. Para asistencia adicional, comuníquese con el Departamento de Transporte de Nebraska al número de teléfono que figura arriba. Un intérprete telefónico está disponible para ayudar a personas con dominio limitado del inglés.



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Complainant:	Phone:
Address:	Email:
Person Discriminated Against if Different from Above:	Phone:
Address:	Email:
What is the full legal name of the organization that discriminated against you?:	
Type of Discrimination: <input type="checkbox"/> Race/Color <input type="checkbox"/> National Origin <input type="checkbox"/> Retaliation	Date of Incident:
Date and place of alleged discriminatory actions. Please include earliest date of discrimination and most recent date of discrimination:	
Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also, attach any written material pertaining to your complaint (attach additional pages if necessary):	
Names and contact information of persons (witnesses, others) whom we may contact for additional information to investigate your complaint:	

The complaint will not be accepted if it has not been signed. Please sign and date this complaint form below. You may attach any written materials or other supporting information that you believe is relevant to the complaint.

Signature

Date

Attachments: Yes No

Please submit this completed form using the contact information provided on page 1.

OFFICE USE ONLY	
Received By:	Date:

APT's Title VI Complaint Procedures

APT forwards all Title VI complaints of discrimination to the Nebraska Department of Transportation Local Assistance section for review. Any person who believes she or he has been discriminated against on the basis of race, color, or national origin by APT may file a complaint by completing and submitting the agency's Title VI Complaint Form. Only complaints received no more than 180 days following the alleged incident will be subject to investigation.

All Title VI and related statute complaints are considered formal—there is no informal process. Complaints must be made in writing and signed by the complainant on the form provided. Complaints received by telephone will be placed in writing and provided to the complainant for confirmation or revision and signing prior to processing.

Complaints may be filed by the affected individual or a representative of that individual. Complaints must include the complainant's name, address, and telephone number, and should specify all incidences and circumstances of the alleged discrimination. Allegations must be based on issues involving race, color, or national origin.

Complaints may be filed with the agency using the following contact information:

Aging Partners Transit

Attn: Mitch Sump, Transit Manager

600 South 70th St. Building #2

Lincoln, NE 68510

(402) 441-8815

msump@lincoln.ne.gov

Complainants who do not wish to file with the transit agency may contact the Nebraska Department of Transportation to receive assistance filing a complaint. NDOT can also assist individuals in submitting a Title VI Complaint in a language other than English. NDOT can be contacted using the following information:

Nebraska Department of Transportation

Attn: Title VI Transit Manager

1500 Hwy. 2

Lincoln, NE 68502

(402)-479-4694

kari.ruse@nebraska.gov

Complaints may also be filed with the Federal Transit Administration by obtaining their form at <https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/fta-civil-rights-complaint-form>. Complaints to FTA may be submitted via email to FTACivilRightsCommunications@dot.gov or mailed to the following address:

Federal Transit Administration
Office of Civil Rights
Attn: Title VI Program Coordinator
1200 New Jersey Avenue SE
Washington, D.C. 20590

If a complaint is received by APT, the agency will submit the complaint to the Nebraska Department of Transportation (NDOT) for review. Upon receipt of the complaint, the NDOT Local Assistance Section will notify the Federal Transit Administration that a complaint has been filed. The NDOT Transit Manager or other investigator will contact the complainant to:

- Acknowledge receipt of the complaint by the investigator.
- Confirm the complainant received adequate assistance to file the complaint.
- Confirm that the complainant wishes to proceed with the complaint.
- Confirm the existence of allegations that require investigation and/or resolution.
- Gather additional facts and further clarify the complaint.

The complainant will be notified in writing that the complaint was received and will be reviewed by the NDOT Intermodal Planning Section and FTA Region VII, with the involvement of APT. If the complaint is determined to have validity, it will be investigated. As part of the review, the investigator will, at minimum:

- Gather relevant documentation from the complainant that was not included in the complaint, such as forms, memos, letters, and photographs;
- Maintain a log of all activities associated with the complaint;
- Complete an investigative report containing information, findings, photos, and recommendations for corrective action, to be submitted to FTA.

A copy of the complaint, together with a copy of NDOT's investigative report, shall be forwarded to the FTA Region VII Office in Kansas City, MO within 60 days of the date at which the complaint was received by NDOT.

- A decision by NDOT to dismiss a complaint can be made for the following reasons:
- The complaint was not filed within 180 days.
- The complaint is not covered by the Title VI statutes for which NDOT is responsible.
- The complaint does not allege any harm covered under the statutes for which NDOT is responsible.
- The complainant requests the withdrawal of the complaint.
- The complainant fails to respond to repeat, documented requests for additional information needed to process the complaint.
- The complainant cannot be located after documented reasonable attempts.

A log will be maintained which is to include the following information:

- The date the complaint/lawsuit was filed.
- A summary of the allegation(s).
- The status of the investigation.
- The actions taken by the recipient/subrecipient in response to the complaint/lawsuit and investigation.
- Documentation to be retained includes the complaint form and a summary of findings.

After the investigator reviews the complaint, they will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not a Title VI violation, and the complaint will be closed. An LOF summarizes the allegations and interviews regarding the alleged incident and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wished to appeal the decision, they have 30 days following the closure letter or LOF to do so.

For additional questions regarding APT's Title VI complaint procedures or Civil Rights Program, individuals may contact the transit agency at the contact information provided above. For more information on NDOT's Title VI complaint procedures or Civil Rights Program, individuals may contact NDOT at the address provided.

6. Requirement to Record and Report Title VI Complaints, Investigations, and Lawsuits

In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the recipient. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint.

At this time, APT has not received Title VI complaints of discrimination and, therefore, has no investigations or lawsuits to report.

APT will maintain a list of all investigations, lawsuits, and/or complaints naming the agency, in accordance with the guidelines specified by FTA C 4702.1B. A copy of the form that will be used to track such complaints is displayed below. APT will maintain permanent records of all complaint-related documents. The agency will report all Title VI complaints of discrimination to the Nebraska Department of Transportation and the Federal Transit Administration.

Title VI Complaint and Lawsuit Tracking Form

Title VI Complaints							
Complainant Name	Date of Incident	Date Filed	Summary of Complaint (include basis of complaint: race, color, or national origin)	Complaint resulted in investigation? (Y/N)	Status of complaint: active or closed?	Summary of Findings OR Reason Complaint was not Investigated (N/A if active)	Notes

Title VI Lawsuits						
Name of plaintiff	Date of Incident	Date Filed	Allegation(s)	Status: Active or Closed?	Result (N/A if active)	Notes:

Submitted by:
 Mitch Sump, Transit Manager
 600 South 70th St. Building #2
 Lincoln, NE 68510
 (402) 441-8815
 msump@lincoln.ne.gov

7. Plan to Promote Inclusive Public Participation

APT's public involvement strategy allows for timely public notice and the opportunity for public comment surrounding requests for FTA Section 5310 funds for operating assistance or acquisitions of new technologies, services, or equipment. During the public involvement process, reasonable steps will be taken to accommodate LEP persons.

Prior to submitting a funding request to NDOT, APT will engage in the following activities to solicit public participation:

- Issue a public notice in a newspaper generally available to the public and private agencies and operators in the service area.
- The notice will describe what funding is being requested and the transportation services to be offered.
- The notice will invite any interested public or private transit or paratransit operator within the service area to comment on the funding application by sending a written notice to the Nebraska Department of Transportation Local Assistance Division and/or the applicant agency within 30 days of the public notice.

Past Outreach Efforts

Since APT provides a variety of services in addition to transportation, they engage in a number of public outreach strategies different from traditional promotional activities for public transit, including but not limited to partnerships with local agencies and participation in community events. However, the agency has and will continue to follow the public participation strategy outlined above in the event of requests for operating assistance or acquisitions of new technologies, services, or equipment. Reasonable steps will be taken to accommodate persons of Limited English Proficiency encountered as a result of this process.

8. Providing Meaningful Access to LEP Persons

Recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program, activity, or service provided by the program to people's lives; and (4) the resources available to the grantee/recipient and costs. As indicated above, the intent of this guidance is to suggest a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, small local governments, or small nonprofits.

Four Factor Analysis Results Summary

Notably, APT does not provide transportation to the general public; transportation is provided exclusively to seniors residing in the city of Lincoln in Lancaster County, Nebraska. APT personnel report that contact with clients of limited English proficiency (LEP) is common, with a number of LEP clients in contact with the program at the current time. The following analysis was carried out to inform a

Language Assistance Plan that considers the needs of limited English proficient (LEP) persons who could potentially be encountered by the agency as it administers its programs and services in Lancaster County.

To facilitate this analysis, 2016-2020 American Community Survey data was analyzed at the county level. This data was used to inform the Language Assistance Plan accompanying this Four Factor Analysis. The data show that the number and proportion of LEP persons in Lancaster County is low but significant, with approximately 88.1% of the population estimated to speak English only.

Service Area Profile

The total number of persons over the age of five in Lancaster County is 296,115.

- Of the total population, 261,001 persons, or approximately 88.1% of the population, speak English only.
- Asian and Pacific Island languages are the largest language group within Lancaster County, with 5,449 LEP persons, or approximately 1.8% of the total population. It is worth noting that Aging Partners Transit reports that persons from Vietnamese background are common among LEP clients.
- Spanish is the second largest non-English language group within Lancaster County, with 4,866 LEP persons, or approximately 1.6% of the total population.
- Indo-European language speakers in Lancaster County constitute 2,466 LEP persons, or approximately 0.8% of the total population.
- Other language groups not defined above include 1,598 LEP persons, or approximately 0.5% of the total population.

Service Area Profile Conclusions

The number and proportion of Asian and Pacific Island-speaking LEP persons, Spanish-speaking LEP persons, and Indo-European-speaking LEP persons in the vicinity of APT is low but significant, with all language groups exceeding the Safe Harbor Threshold of 1,000 or more LEP persons or 5% of the service area population. Moreover, agency personnel report that contact with LEP persons is common, with a number of LEP clients estimated to be in contact with the program at the current time.

APT Four Factor Analysis

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient

Factor 1a: How LEP persons interact with the recipient's agency

APT does not provide transportation to the general public; transportation is provided exclusively to members of the program from their homes to senior centers and back for meals, as well as a variety of other activities. Any LEP persons would interact with the agency through transit or booking experiences.

Factor 1b: The literacy skills of LEP persons in their native languages, in order to determine whether the translation of written documents will be an effective practice

No data could be obtained regarding the native language literacy of LEP persons within the APT service area, nor does the agency maintain such data at this time. Such data will be utilized in the instance that it becomes available. However, due to the language assistance resources made available by the agency to LEP persons (see the accompanying Language Assistance Plan) it is not estimated that barriers to service due to native language literacy would prevent LEP persons from accessing the agency's programs or services at this time.

Factor 1c: Whether LEP persons are underserved by the recipient due to language barriers

Based on current interaction with LEP persons, facility personnel do not believe LEP persons are underserved due to language barriers.

Factor 2: The frequency with which LEP persons come into contact with the program

The agency reports that LEP persons frequently come into contact with APT.

Factor 3: The Nature and Importance of the Program, Activity, or Service in People's Lives

Service is frequently provided to residents enabling them greater mobility and access to critical services. Trip purposes include, but are not limited to, doctor appointments; legal counsel; traveling to residences; social activities; and engaging in regular daily activities. These services are deemed important for residents' lives.

Factor 4: The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach

APT will have use of written translation services through the Nebraska Department of Transportation, as well as general Title VI assistance and oversight.

APT Language Assistance Plan

APT currently has access to document translation assistance through the Nebraska Department of Transportation, as well as general Title VI assistance and oversight through this agency. Using this resource, APT's Title VI Notice to the Public, Discrimination Complaint Form, and Discrimination Complaint Procedures Form have been translated for upon-request public distribution and posting on the agency website. The agency will take reasonable steps to assist LEP persons who may choose to access its programs and services in the future.

Additionally, APT transit personnel will be assisted by non-transit staff in facilitating interactions with LEP persons; for example, by arranging an interpreter or translator if needed.

Monitoring, Evaluating, and Updating the LEP Plan

APT will update the current Language Assistance Plan as required. At minimum, the plan will be reviewed and updated every three years. Updates may include the following:

- The number of documented LEP person contacts encountered since the last update. Description of how the needs of LEP persons have been addressed.
- Determination of the current LEP population within the agency service area.
- Determination of whether the need for language assistance has changed.
- Determination of whether local language assistance has been effective and sufficient at meeting needs.
- Determination of whether the agency's available outreach resources are sufficient to supply necessary language assistance.
- Determination of whether complaints have been received concerning the agency's failure to meet the needs of LEP persons.

Employee Training

APT's transit personnel are required to review the current Title VI Program document and sign a written statement declaring their understanding of their obligation to provide service regardless of race, color, or national origin.

Necessary personnel will be familiar with the agency's procedures for handling a potential Title VI complaint.

APT personnel have taken part in Title VI planning and training sessions through the Nebraska Department of Transportation and University of Nebraska. Additionally, all APT drivers have been through Defensive Driving and PASS classes in the past two years. The City of Lincoln also offers training programs for all city employees on a regular basis.

Resources for employee training also include a Title VI training workshop hosted by the Nebraska Department of Transportation and the University of Nebraska, and ongoing Title VI assistance and oversight provided by the Nebraska Department of Transportation and University of Nebraska at Omaha.

9. Minority Representation on Planning and Advisory Bodies

Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, "deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program." Recipients that have transit-related, nonelected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees:

APT does not have a non-elected, transit-related planning board, advisory council, or other such committee. In the event that such a body were to be established prior to the next Title VI Program

submission, the following table (pictured below) would be used to depict the racial makeup of said council or committee.

Sample Minority Representation Table

MINORITY REPRESENTATION TABLE							
# of non-elected members	% Caucasian	% African American	% Latino	% Asian American	% Native American	Other Ethnicity	Notes

10. Requirement to Provide Assistance to Subrecipients: N/A

APT is not a primary recipient and is therefore exempt from this requirement.

11. Monitoring of Subrecipients: N/A

APT is not a primary recipient and is therefore exempt from this requirement.

12. Equity Analysis to Determine Site or Location of Facilities

Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.” For the purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc.

APT has not conducted a project requiring land acquisition or the displacement of persons during the current reporting period.

In possible future circumstances, APT will ensure that both environmental analysis and Title VI environmental justice requirements are incorporated into the scope of work for all facilities projects. The agency will complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. The agency will engage in outreach to persons potentially impacted by the siting of facilities. The

Title VI equity analysis will compare the equity impacts of various siting alternatives, and the analysis will occur prior to the selection of the preferred site.

When evaluating the locations of facilities, APT will give attention to other facilities with similar impacts in the area to determine whether any cumulative adverse impacts might result. Analysis will be conducted at the Census tract or block group, where appropriate, to ensure that proper perspective is given to localized impacts.

If the agency determines that the location of a project will result in a disparate impact on the basis of race, color, or national origin, the agency will only locate the project in that location if there is a substantial legitimate justification for locating the project there, and when there are no alternative locations that would have a less disparate impact on the basis of race, color, or nation origin. The agency will show how both tests are met, and will consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin; the agency will then implement the least discriminatory alternative.

13. Requirement to Provide Additional Information upon Request

FTA may request, at its discretion, information other than that required by [FTA Circular 4702.1B] from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT's Title VI regulations.

APT will fully cooperate with any FTA investigation of discrimination complaints to the extent required by Title VI regulations.

Requirements and Guidelines for Fixed-Route Transit Providers: N/A

APT is not a provider of fixed route transportation and is therefore exempt from this requirement.

Requirements for States: N/A

Requirements for Metropolitan Planning Organizations: N/A

FTA Compliance Reviews: N/A